



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,220	01/22/2004	Ronald J. Hoffman	081069-0305614	2735
909	7590	09/09/2005	EXAMINER	
PILLSBURY WINTHROP SHAW PITTMAN, LLP			BLAKE, CAROLYN T	
P.O. BOX 10500			ART UNIT	
MCLEAN, VA 22102			PAPER NUMBER	

3724

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/761,220

Applicant(s)

HOFFMAN ET AL.

Examiner

Carolyn T. Blake

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-18 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group II in the reply filed on August 16, 2005 is acknowledged. Examiner agrees that an Election of Species is not proper for the method claims, and thus the Election of Species is withdrawn.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the plurality of housings and their arrangement must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

3. The drawings are objected to because the words "Delaminated Item" (FIG 10) and "Delaminated Disc" (FIG 11) should be deleted and replaced with reference numbers reference in the disclosure.

4. The drawings are objected to because several features, such as the passages, as very difficult to view in the drawings. Clarification of these features in the drawings through enlarged view or the like is required.

5. The drawings are objected to because it is not clear how the mounting element 75 is T-shaped. The addition of this reference number on additional figures, or additional drawings showing the mounting element are required.

6. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate

Art Unit: 3724

prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

7. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;

Art Unit: 3724

- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

8. The abstract of the disclosure is objected to because it fails to include all of the content above, including the improvement over the prior art. Correction is required.

See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baro et al (5,294,068) in view of Wang (5,494,204) and Pinckney (2,252,445).

Baro et al disclose a method of making dispensers (1) substantially as claimed, including a housing (2), said housing comprising: (i) at least a first opening (34) and a second opening (36) spaced apart from the first opening, each opening having a thickness, the thickness of the first opening (34) being smaller than the thickness of the second opening (36), and (ii) providing a corner (directly adjacent opening 36), the first opening (34) being provided on one of the walls adjacent the corner; providing a wound roll of a supply substrate (101), the substrate including a release liner (103) with relatively thin articles (104) and an adhesive releasably adhering the relatively thin articles (104) to the release liner (103); providing a second type of supply substrate;

mounting the wound roll of supply substrate (101) to a housing and extending an unwound lead end portion of the supply substrate through the first opening (34) of the housing.

Baro et al fail to disclose a plurality of housings. However, Wang discloses a plurality of housing having essentially identical constructions. The housings are joined through the fingers of the mandrel, and the plurality of dispensers allow for multiple dispensers to be utilized simultaneously. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide multiple Baro et al dispensers and connect them, as disclosed by Wang, for the purpose of using the dispensers simultaneously.

The Baro et al-Wang combination fails to disclose using substrates with different thicknesses as claimed. However, Pinckney discloses a plurality of different types of dispensers wherein materials such as gummed paper or fabric in strip form, adhesive tape, masking tape, Scotch tape, and non-adhesive strips can be used. The different types of materials disclosed by Pinckney have different thicknesses, and the use of all these materials on the same dispensing system would allow a user to quickly utilize the materials at the same time. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide substrates with different thicknesses, as disclosed by Pinckney, with the Baro et al –Wang combination for the purpose of quickly utilizing different wound materials.

In addition, Wang discloses a cutter (104) mounted to an opening, the cutter (104) providing a cutting edge for cutting an adhesive substrate. The cutter easily cuts

Art Unit: 3724

the substrate after dispensing, eliminating the need to cut the strip with a scissors afterwards. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a cutter, as disclosed by Wang, with the combination for the purpose of easily cutting the substrate.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn T. Blake whose telephone number is (571) 272-4503. The examiner can normally be reached on Monday to Friday, 8:00 AM to 5:30 PM, alternating Fridays off.

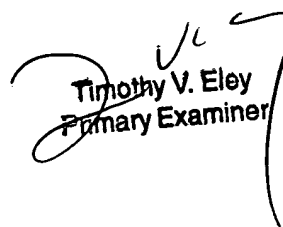
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CB

CB

September 2, 2005


Timothy V. Eley
Primary Examiner